

MINISTRY OF THE  
ATTORNEY GENERAL  
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# **MINISTRY OF THE ATTORNEY GENERAL**

## **1998-1999 Business Plan**



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## MESSAGE FROM THE MINISTER



Hon. Charles Harnick

Since this government came into office, fighting crime, protecting victims' rights and bringing justice to families have been high on our list of priorities. During the past three years, we have implemented, and continue to implement, ambitious improvements to the justice system, many of which are unparalleled in any jurisdiction in Canada - or the world.

We are committed to **Strengthening Community and Personal Safety** on our roads, in our neighbourhoods, and in our homes. Our government has committed more than \$150 million over the next five years to new community safety initiatives. The Community Policing Partnership with municipalities will result in the hiring of hundreds of new front-line police officers. Other initiatives include the establishment of a multi-force "Anti-Biker Gang Squad" and the development of a Rural Crime Prevention Strategy. We are speeding up criminal investigations and are pressing the federal government to make major changes to the *Young Offenders Act*. In addition, the government has dedicated almost \$8 million to support the work of a specialized team of Crown attorneys, police officers and technical staff to investigate and prosecute organized crime and illegal gaming.

We are **Supporting Victims of Crime** by correcting the long-standing imbalance between the needs of victims of crime victim and the rights of the accused. We have demonstrated our intolerance for violence in the home by quadrupling the number of domestic violence courts in our province. Our government is **Investing in Justice** through capital investments in court construction which are unprecedented in Canada. To prepare for the future, we have committed almost a quarter of a billion dollars to build new court facilities and renovating old ones. And through the Integrated Justice Project, \$175 million is being invested to modernize the justice system and make it more efficient and accessible.

**Courts that Work** use valuable resources more efficiently. By improving the way courts function, for example, we can save police officers' time and put them back on the streets to fight crime. By putting teeth into the enforcement of child-support orders and quickly getting families the money that is owed them, we are **Bringing Justice to Families**.

You will read about these and other initiatives in our Business Plan. They are the government's response to our firm belief that every Ontarian has the right not just to be safe but to *feel* safe.

A handwritten signature in cursive script, reading "Charles Harnick".

The Honourable Charles Harnick  
Attorney General and  
Minister Responsible for Ontario Native Affairs

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# MINISTRY VISION

The Ministry of the Attorney General's vision of Ontario is a province where safe, secure and prosperous communities are supported and protected by a modern, effective and accessible justice system.

This vision guides all of the ministry's planning and all of the decisions it makes.

The justice services the ministry envisages for Ontario not only strengthen the safety of our communities but also contribute to economic prosperity. When justice is delivered effectively, commercial disputes can be resolved promptly and at reasonable cost to individuals and business. At the same time, safe communities – the places in which we enjoy working, living and raising our families – are also those that attract investment. That is why they enhance our economic, as well as our social, prosperity.

The ministry's vision of our province is based on the firm belief that Ontarians have the right to feel safe and secure in rural communities, on urban streets, in school corridors and playgrounds, and in their homes -- and to feel assured that their families also share this personal security.



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# ANNUAL REPORT ON KEY ACHIEVEMENTS AND COMMITMENTS

## 1997-1998 Achievements

### *Strengthening Community and Personal Safety*

To make it easier for police to access search warrants, the ministry launched the Telewarrant Centre. By helping police fight crime, this service helps protect our communities. Six justices of the peace are available 24 hours a day to handle applications for search warrants that are faxed to the centre from police officers around Ontario. This is a considerable time saver for police in remote communities who had to drive long distances to reach a justice of the peace to request a search warrant. In its first 34 weeks of operation, the centre received almost 1,700 applications for a search warrant.

To help make Ontarians' homes the safe and secure places they should be, the ministry opened an additional six domestic violence courts. The courts provide more support to victims; prosecute domestic assault cases more effectively; and intervene early in abusive domestic situations to break the cycle of violence.

### *Supporting Victims of Crime*

Since 1995, the Victim/Witness Assistance Program (V/WAP) has increased its service and assistance to victims of crime, most of whom are women and children, by 35 per cent. Seven new V/WAP sites were opened in 1997/98. By June, 1998 the total number of V/WAP offices will have doubled to 26 from 13. V/WAP provides support and referral services to victims throughout the court process.

### *Investing In Justice*

The ministry is currently working with private sector partners to implement the Integrated Justice Project which will link electronically every part of the justice system -- including police, prosecutors, courts, judges, corrections staff and the private bar. The \$175-million initiative is considered the biggest justice-modernization project in the world. As part of the Integrated Justice Project, an innovative electronic-filing project was implemented. Electronic filing will result in considerable savings of time and cost for litigants in civil matters since it enables lawyers to file documents with the courts without leaving their offices.

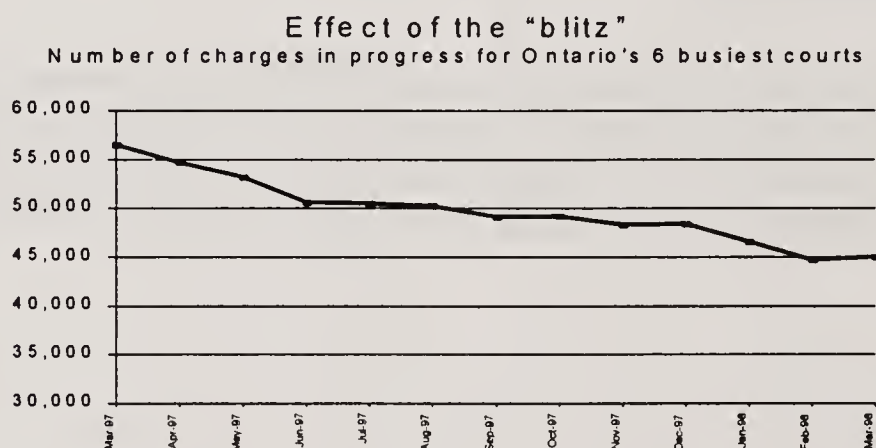
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## Courts That Work

The ministry's "blitz" on criminal court backlogs was highly successful. The ministry redeployed prosecution and court resources to open and operate nine new backlog courts. The number of criminal charges pending before Ontario's six busiest courts locations (Newmarket, Barrie, Etobicoke, North York, Scarborough and Brampton) was reduced by 20 per cent from March 1997 to March 1998. The number of charges that were more than eight months old, which could be at risk of being dismissed or stayed, dropped by 40 per cent.

A major, independent review of legal aid was completed – the first comprehensive examination of the plan in its 30-year history. The McCamus Report was released in September, 1997. Since then, the ministry has consulted extensively with stakeholders and users on the recommendations of this report. Improvements to legal aid are needed to find the best ways of providing appropriate legal aid services to those in need at a cost taxpayers can afford.

In 1997, the ministry announced its intention to introduce mandatory mediation for civil, non-family cases. Referral to mediation early in the litigation process gives the parties an alternative to the court process, often leads to quicker resolution of disputes, and saves litigants time and money. Two pilot projects, in Toronto and Ottawa, have shown impressive results. Both have early settlement rates of 60 and 66 per cent respectively. The bottom line for the public and business is improved access to justice.



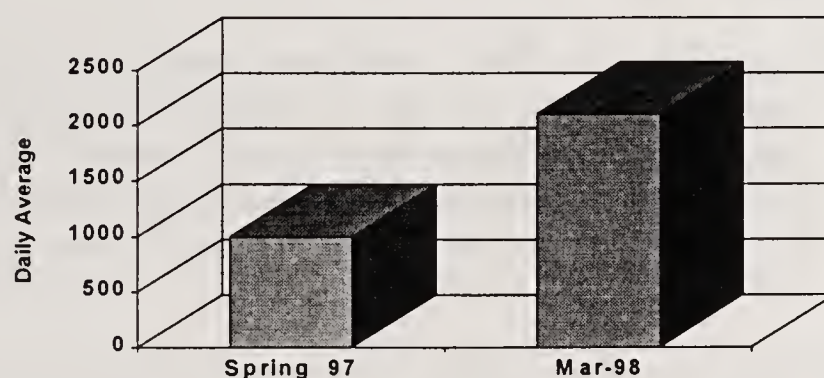
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## *Bringing Justice to Families*

More families and children are getting the money they are owed faster. The ministry has significantly improved services to 167,000 families registered with the Family Responsibility Office (FRO). The office began to use new, tougher enforcement tools to get support money from delinquent parents to families. Almost 1,600 notices of drivers' licence suspensions have been sent out since the end of September, 1997; almost 400 licences have been suspended; and more than 73,000 delinquent parents have been reported to credit bureaus since July 1997.

More than 20,000 phone calls are answered by the Family Responsibility Office every day. The number of calls answered by front-line staff has doubled. Ninety-five per cent of payments received by the office are processed within 24 to 48 hours. The government has listened to the public and extended service time beyond standard business hours. Customer service and access to the program have been increased by almost 33 per cent by being open for longer hours.

**Family Responsibility Office**  
Number of calls answered by Client Service Associates





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## 1998-99 Commitments

### *Strengthening Community and Personal Safety*

The Ministry of the Attorney General partners with the Ministry of the Solicitor General and Correctional Services in fighting crime on our streets and in our neighbourhoods. Our government will spend more than \$150 million over five years on new community safety initiatives. We will continue to focus our attention on prosecuting crime by implementing those recommendations of the Ontario Crime Control Commission that are approved by government, and by pressing the federal government to improve the *Young Offenders Act*.

To improve community safety, the ministry will train all prosecutors to identify and flag all high-risk offenders by September 1998. This information will form part of a national data bank and will be shared with police services throughout the province.

The *Road Safety Act* targets offenders including suspended drivers who continue to drive, drinking drivers and unsafe truck operators and owners. The ministry will support the implementation of this law and help keep our roads and communities safe by ensuring timely processing of criminal cases.

### *Supporting Victims of Crime*

The *Victims' Bill of Rights*, proclaimed in 1996, is designed to restore the balance between the rights of the accused and the needs of the victims of crime. The Bill ensures victims of crime receive the support and respect they deserve by providing services at every stage of the criminal justice system. The ministry continues to identify ways to strengthen the commitments made in the *Victims Bill of Rights* and enhance and improve existing services to victims of crime further to respond to their needs.

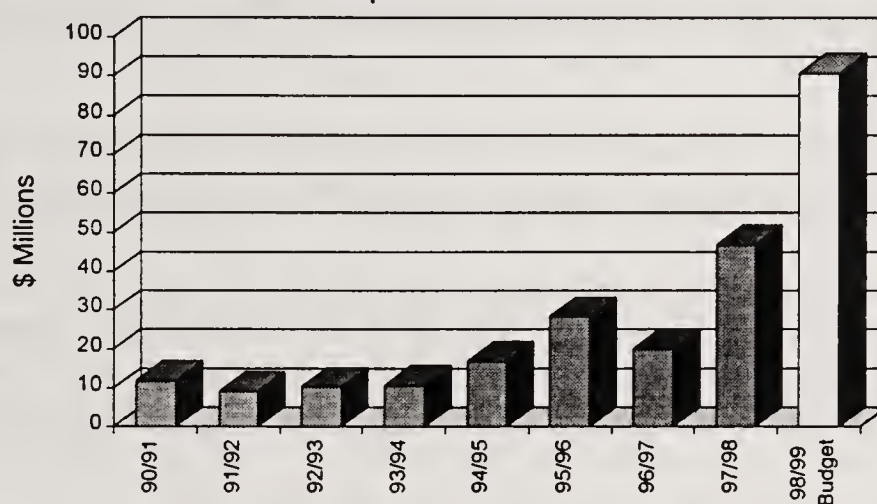
### *Investing in Justice*

As part of a series of improvements to make the justice system more efficient and cost-effective, the ministry implemented an electronic-filing project. This project speeds up the current process for filing court documents by allowing lawyers to file documents electronically directly from their offices instead of waiting in line at court offices. This saves clients time and money. The ministry will be looking to expand this project to all law firms. The ministry will also improve the speed at which cases move through the civil and criminal justice systems by introducing a province-wide case management system. Case management sets specific timeframes for each stage in the process, which helps prevent cases from being stalled in the court system.



Work to build new courthouses and refurbish existing ones will continue. Almost a quarter of a \$1 billion has been committed for this purpose. As well, \$175 million is being invested in the Integrated Justice Project to modernize the justice system to make it more efficient and accessible. Also, the government will ensure that the appropriate judicial infrastructure is in place to support more than \$150 million of new community safety initiatives which will be put in place during the next five years.

### Courtroom Construction and Other Capital Expenditures



### Courts That Work

Ontario prosecutes the largest number of criminal charges in the country -- at any one time, more than 500,000 charges are in the system. In the past year, in the province's six busiest courts, the ministry has successfully reduced the number of charges potentially at risk for dismissal because of delay by 40 per cent. The ministry is determined to ensure that no charges are dismissed for this reason.

The ministry is proposing province-wide implementation of mandatory mediation starting in Toronto and Ottawa. Mandatory mediation early in the litigation process will make the justice system more affordable to the public by facilitating the early settlement of disputes.

The government is determined to ensure that innocent people are prevented from being wrongfully convicted of crime and is working to restore Ontarians' confidence in the justice system. The minister has committed to implementing those recommendations of the Kaufman Inquiry into the wrongful conviction of Guy Paul Morin that pertain to the Ministry of the Attorney General.

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## *Bringing Justice to Families*

The Family Responsibility Office (FRO) will soon have additional tools designed to help ensure children and families receive the court-ordered support payments to which they are legally entitled. With these tools:

- Up to half of the money in delinquent support-payors' joint accounts will be subject to seizure by the Family Responsibility Office.
- The Ontario Lottery Corporation, in co-operation with the Family Responsibility Office, will be able to withhold individual prize winnings of \$1,000 or more from parents whose family support payments are in arrears.
- If a judge, at a default hearing, finds that a third party is sheltering a delinquent payor's assets, the court can order this third party to make payments up to the amount of the sheltering.
- Notice of a security interest in personal property will be registered by the Family Responsibility Office under the *Personal Property Security Act*. This means that a lien can be placed on personal property belonging to parents who owe family support payments. It therefore makes it difficult for delinquent parents to sell the property without first clearing up debts to families.

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# CORE BUSINESSES

The Ministry of the Attorney General pursues its vision of the Ontario justice system through four core businesses.

## Prosecuting Crime, Preserving Public Order and Safety, and Supporting Victims of Crime

This core business enhances community safety through timely prosecutions and helps ensure victims receive the support they need and to which they are entitled.

## Providing Fair, Co-ordinated, Timely and Accessible Courts

The government has made a commitment to providing courts that respond to the changing needs of Ontarians. The Ministry of the Attorney General provides a range of services that support Ontario's family, criminal and civil courts. As a result of a number of innovations, the ministry is making significant progress toward its goal of modernizing the justice system to make it more efficient, to make courts work better, and to provide alternatives to the court for resolving disputes.

## Providing Legal and Decision-Making Services to Vulnerable People with No Other Means of Support

Because this government is committed to protecting the interests of vulnerable people, this core business provides and supports a range of special services such as legal and decision making on personal care and financial matters for Ontarians who are incapable of making their own decisions or who have no one to make these decisions on their behalf.

## Providing Legal Services to Government and Agencies, Boards and Commissions

Since government itself needs legal advice and services, this core business provides expert legal services to government ministries, agencies, boards and commissions.



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## KEY STRATEGIES

The justice system forms the foundation of every democratic society. For this reason, it is incumbent upon government to ensure that a modern justice system is effective, fair, accessible and accountable to its citizens and responds to the changing needs of society.

Ordinary citizens -- whether they come into contact with the justice system to resolve civil or family disputes, as victims of crime, or as accused persons -- must have confidence that the resolution of their cases will be just, timely and affordable.

### Focus On Serious Crime and Provide Support to Victims of Crime

#### *Support Victims of Crime*

The government is committed to supporting victims of crime. It has resolved that victims of crime will not be victimized twice -- once by the perpetrator, and then by a justice system that sometimes appears to be more concerned about the rights of criminals than the rights of their victims. The ministry will continue to build on the progress made during the past three years.

#### *Improve Community Safety*

The ministry will continue to crack down on serious crime through a number of initiatives, including:

- partnering with the Ministry of the Solicitor General and Correctional Services to implement \$150 million of new community safety initiatives. We will prosecute offenders under the *Road Safety Act* -- including suspended drivers who continue to drive, drinking drivers and unsafe truck operators and owners;
- conducting a further blitz on backlogged courts to get our police officers out of crowded courtrooms and onto the streets to fight crime;
- working with the Ontario Crime Control Commission, which has been asked to find new ways to reduce crime and improve public safety;
- working with the Criminal Justice Review, which is scrutinizing criminal law procedures and practices to increase the efficiency of the criminal justice system. This venture aims to reduce delays in the trial process without sacrificing the fairness and quality of the justice system; and
- providing additional funding for a specialized team of police officers, Crown attorneys and technical staff to investigate and prosecute criminals involved in illegal gambling.

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## Adopt New and Better Ways of Doing Business

The government remains committed to improving justice services to the public and to making them work better for the average Ontarian. The following is a sampling of projects underway:

### *Family Justice*

The ministry is looking at ways to reduce the emotional toll on families by helping them to resolve disputes faster and putting the interests of children first.

The ministry's goals are:

- protection for children and other victims of domestic violence;
- accessible, timely and effective options for resolving disputes;
- effective enforcement of family support responsibilities;
- improvements to family justice services such as supervised access, which offers a safe, neutral setting for visits and exchanges of children; and
- streamlining of court processes to reduce costs and delays for matters that require judicial intervention.

The 1998/99 priorities for the Family Responsibility Office (FRO) will be to continue to improve customer service while strongly enforcing *The Family Responsibility and Support Arrears Enforcement Act*. The program will be looking at entering into more partnerships with the private sector so that arrears can be collected more aggressively.

The expansion of the Unified Family Court will give more Ontarians access to this innovative approach to family justice. This concept gives one court powers under both federal and provincial statutes to deal with all aspects of family law. This court also acts as a single access point to a range of family-related support services such as mediation and parent information. As well, it uses specialized rules to resolve disputes as quickly and as cheaply as possible, and to make them less complex.

The Crime Control Commission is studying the possibility of parental liability legislation in Ontario. If introduced and passed by the legislature, it would make parents responsible for certain types of property loss or damage caused by their children.

### *Mandatory Mediation for Civil Cases*

The government is determined to make civil courts faster and cheaper for ordinary Ontarians and business. Once the Civil Rules Committee approves a Rule, Toronto and Ottawa will be the first sites for mandatory referral to mediation for civil, non-family cases. This initiative improves access and reduces the costs of litigation for individuals and business.



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## *Legal Aid Reform*

In 1998-99, the ministry will be looking at how legal aid services can be more accessible and at how the program can maintain its financial stability and its accountability to taxpayers, while serving the people who need it most.

## *Transfer of Provincial Offences Act Responsibilities*

The ministry is proposing to transfer to municipalities the responsibility for processing and prosecuting “ticketable” offences governed by the *Provincial Offences Act*. Such offences include speeding, ticket scalping and selling liquor to persons under 19. These types of violations have a considerable impact on local communities and so it makes sense that local governments play a role in administering and prosecuting them. In addition, the transfer will provide revenue to municipalities for local services and will allow the ministry to focus resources on serious crime. The ministry will continue to be responsible for maintaining standards of justice throughout the province.

## **Manage the Justice System More Effectively**

### *Integrated Justice Project*

The Ministry of the Attorney General and the Ministry of the Solicitor General and Correctional Services are working with private sector partners on the largest justice-modernization project in the world. Once completed, the Integrated Justice Project will link electronically every part of the justice system – police, Crown attorneys, courts, corrections, parole and the private bar. This will make the system more efficient, save time and money, and facilitate faster and easier transfer and sharing of information. This allows police officers and Crown attorneys to spend less time on duplicating paperwork and more time on investigating and prosecuting crime.

The innovative electronic-filing pilot project will save litigants money and time. The project enables lawyers to file documents with the courts without leaving their offices. By avoiding long line-ups and saving considerable time, it also saves costs. More than 80 law firms are participating in the project which has electronically filed more than 1,000 documents with the courts.

### *Case Management*

The introduction of case management in Ontario civil courts speeds up the time it takes to resolve civil matters by setting deadlines to move cases through the system more quickly. Now applied to all civil cases in Ottawa, and one quarter of such cases in Toronto, case management will be extended province-wide over the next few years.



# KEY PERFORMANCE MEASURES

<b>CORE BUSINESS:</b> Prosecuting Crime, Preserving Public Order and Safety, and Supporting Victims of Crime			
<b>Goals/Outcomes</b>	<b>Measures</b>	<b>Targets/Standards</b>	<b>98-99 Commitments</b>
Efficient handling of cases will mean that offenders are held accountable, and that criminal justice resources are better focused to ensure public safety	The number of cases being dismissed by a judge as a result of unreasonable delay	Target is 0% of cases being dismissed due to delay	Further 20% reduction in the number of cases dismissed due to delay in the six backlog sites
Improve public safety by identifying high risk offenders under a national program which registers the province's high risk offenders	Identification of high risk offenders	A mechanism in place to ensure Crowns identify potential high risk offenders	100% of Crowns trained to identify high-risk offenders by December 1998
Provide police with faster, around-the-clock facsimile access to search warrants ( telewarrants )	Satisfaction of police and justices of the peace with the efficiency of telewarrant service	Provide efficient province-wide, 24 hour a day telewarrant service	Survey all police services in Ontario beginning in September 1998. Results expected by December
Increase and improve support for victims proceeding through the criminal justice process	The number of Victim/Witness Assistance Program clients served	Increase number of victims served from 20,000 in 97/98	Serve 23,000 clients. In addition, implement a co-ordinated approach to serving crime victims

<b>CORE BUSINESS:</b> Providing Fair, Co-ordinated, Timely and Accessible Courts			
<b>Goals/Outcomes</b>	<b>Measures</b>	<b>Targets/Standards</b>	<b>98-99 Commitments</b>
Reduced time to file court documents for lawsuits	Increased use of technology to streamline court processes (e-filing)	Expansion to all interested law firms	Expand the types of documents eligible for e-filing.
Implement mandatory referral to mediation in civil, non-family cases in the General Division, to reduce the time to settlement and cost for litigants	Percentage of mediated cases that have early settlement.	100% referral of cases that are eligible	Begin province-wide implementation, pending approval of the mediation Rule.

<b>CORE BUSINESS: Providing Legal and Decision-Making Services to Vulnerable People with No Other Means of Support</b>			
<b>Goals/Outcomes</b>	<b>Measures</b>	<b>Targets/Standards</b>	<b>98-99 Commitments</b>
Improved customer service through faster telephone access to client service associates in the Family Responsibility Office.	<p>Client wait time for calls to client service associates</p> <p>Number of phone calls answered</p>	<p>Reduce telephone waiting time to an average of 15 minutes or less.</p> <p>Increase number of calls answered in person to 2,000 per day from 1,000 in spring 1997. Maintain rate of 17,000 calls per day for automated phone service</p>	<p>Average wait time of 15 minutes or less for all calls.</p> <p>Answer, in person, an average of 2,000 calls daily. Provide automated service for up to 17,000 calls or more per day.</p>
Efficient transfer of funds from non-custodial parent to families receiving support payments	<p>Payment turnaround time</p> <p>% of payments processed electronically</p>	<p>Payments to recipients processed within 24 to 48 hours by September, 1997.</p> <p>Increase electronic processing to 30% by March 2000.</p>	<p>Sustain or exceed current processing levels of 95% of payments processed within 24 to 48 hours.</p> <p>Increase electronic remittances to 25% . Enrol 300 companies in electronic data interchange.</p>

# 1997-98 MINISTRY SPENDING BY CORE BUSINESS - INTERIM ACTUALS\*

## Ministry of the Attorney General \*\*

Operating	\$624 million
Capital	\$47 million
	5,990 staff

## Prosecuting Crime and Supporting Victims

Operating	\$109 million
	1,030 staff

Criminal Law  
Special Investigations Unit  
Victim Witness Assistance Program  
Criminal Injuries Compensation Board

## Criminal, Civil and Family Courts

Operating	\$232 million
Capital	45 million
	3,320 staff

Administration of Justice  
Judicial Services  
Court Construction

## Legal Services to Government & Agencies, Boards & Commissions

Operating	\$26 million
	615 staff

Legal Services  
Legislative Counsel Services  
Agencies, Boards and Commissions

## Legal and Decision Making Services to Vulnerable People \*\*

Operating	\$186 million
	655 staff

Public Guardian and Trustee  
Children's Lawyer  
Family Responsibility Office  
Supervised Access and Bail  
Victims of Abuse  
Legal Aid

## Internal Administration

Operating	\$71 million (with leases)
	\$27 million (without leases)
Capital	\$2 million
	370 staff

Administration  
Facilities Renewal

Note: Staff numbers are shown as full-time equivalents.

\* PSAAB based

\*\* Interim Actuals for Legal and Decision Making Services to Vulnerable People & Ministry include a PSAAB adjustment decreasing Legal Aid By \$80 million



# 1998-99 MINISTRY APPROVED ALLOCATIONS BY CORE BUSINESS - PLAN\*

## Ministry of the Attorney General

Operating	\$733 million
Capital	\$91 million
	6,115 staff

## Prosecuting Crime and Supporting Victims

Operating	\$112 million
	1,025 staff

Criminal Law  
Special Investigations Unit  
Victim Witness Assistance Program  
Criminal Injuries Compensation Board

## Criminal, Civil and Family Courts

Operating	\$233 million
Capital	89 million
	3,435 staff

Administration of Justice  
Judicial Services  
Court Construction

## Legal Services to Government & Agencies, Boards & Commissions

Operating	\$15 million
	630 staff

Legal Services  
Legislative Counsel Services  
Agencies, Boards and Commissions

## Legal and Decision Making Services to Vulnerable People

Operating	\$268 million
	665 staff

Public Guardian and Trustee  
Children's Lawyer  
Family Responsibility Office  
Supervised Access and Bail  
Victims of Abuse  
Legal Aid

## Internal Administration

Operating	\$105 million (with leases)
	\$27 million (without leases)
Capital	\$2 million
	360 staff

Administration  
Facilities Renewal

Note: Staff numbers are shown as full-time equivalents.

\* PSAAB based

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# WHO TO CALL

Questions or comments about the ministry's business plan are welcomed.

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At the Ministry of the Attorney General, you can also call:

## **Business Policy and Planning**

April Takeda (416) 326-4508

## **Court Services**

Cathy Huiser (416) 326-5350

Susan McDougall (416) 326-9242

## **Criminal Law**

Grace Lin (416) 326-2617

## **Family Justice Services**

Family Responsibility Office

Brian Harrison (416) 240-2450

## **Other Divisional Matters**

Marc Tremblay (416) 314-2682

## **Legal Services and Victims Support**

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## **Integrated Justice Corporate Services**

Donna Garant (416) 326-2626

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Isabella McTavish (416) 326-1114

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